

DETAILED ACTION

Allowable Subject Matter

1. Claims 1-4 are allowed.
2. The following is an examiner's statement of reasons for allowance:

The prior art teaches several variations on hardness testing devices with extended arms for applying loads onto a sample. See, for example, United States Patents 2,246,146 to Smith, 2,319,208 to Clark, 2,619,831 to Sklar, 2,682,169 to Hohner, 2,752,779 to Clark. See also United States Patents 2,892,344 to Sklar, 4,036,048 to Webster, and 6,336,359 to Kawazoe *et al.* These references teach the use of a structural frame and an adjustable support structure (anvil) for holding a sample to be tested. The prior art does not teach a hardness testing apparatus having a pivoting first arm (having a free end with means for applying a load to the sample) and a pivoting second arm connected to the frame and bearing on the first arm through an unconstrained abutment between a rolling bearing.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to DAVID A. ROGERS whose telephone

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number is (571)272-2205. The examiner can normally be reached on Monday - Friday (0730 - 1600). If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hezron E. Williams can be reached on (571) 272-2208. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

4. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/David A. Rogers/
Primary Examiner, Art Unit 2856